Application No. 10/040,926 Amendment dated June 29, 2004 Reply to Office Action of May 20, 2004

JUL 0 2 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

n Re Application of:

Mitchell W. MUTZ et al.

Confirmation No. 5529

Serial No. 10/040,926

Group Art Unit 1651

Filed on December 28, 2001

Examiner Ralph J. GITOMER

Title:

FOCUSED ACOUSTICS FOR DETECTION AND SORTING OF FLUID VOLUMES

AMENDMENT UNDER 37 C.F.R. § 1.111

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Responsive to the first Office Action for this matter, please reconsider the subject application in light of the amendments and remarks set forth in this paper. As this response is timely filed within three months of the May 20, 2004, mailing date of the Office Action, no fee accompanies this response.

AMENDMENT TO THE TITLE

The title of this application has been changed as indicated above and as noted in the Remarks.

AMENDMENTS TO THE CLAIMS

The amendments to the claims are reflected in the listing of the claims set forth on pages 2 to 5 of this paper.

REMARKS

Applicants remarks in support of this application are set forth on pages 6 to 15 of this paper.

ATTACHMENTS

Attached to the end of this paper are the PAIR continuity data pages for this application and this application's direct parent (U.S. Patent Application Serial No. No. 09/751,666) and ultimate parent (U.S. Patent Application Serial No. 09/727,391) and seven separate claim sets for each of the related applications shown therein.

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM	Application Number	10/040,926
	Filing Date	December 28, 2001
	First Named Inventor	Mitchell W. MUTZ et al.
(to be used for all correspondence after initial filing)	Art Unit	1651
	Examiner Name	Ralph J. GITOMER
Mail Stop Amendment	Attorney Docket Number	7610-0022.22

ENCLOSURES (Check all that apply)					
No fee due Fee Transmittal Fee(s) due Fee Transmittal Check for \$* Charge any underpayment or credit any overpayment to Deposit Account No. 18-0580 Return postcard Amendment/Reply + attachments Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement & Form(s) PTO-1449 Copy(ies) of cited reference(s) Certified Copy of Priority Document(s) Response to Missing Parts / Incomplete Application Response to Missing Parts	Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation, Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s): Remarks:	to a Technol Appeal Com of Appeals Appeal Com (Appeal Notice Proprietary Status Lette	er sure(s) (please		
under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
	Canaan, Registration No. 42,382				
	& Eberie LLP	Telephone	(650) 330-0900		
	uen (Quaa-	Date	June 29, 2004		
CERTIFICATE OF TRANSMISSION/MAILING					
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.					
Name (print/type) Will Sayo					
Signature	ANN A	Date	June 29, 2004		